

## IN THE CLAIMS

### **We claim:**

1. (Currently Amended) ~~A short interfering RNA (siRNA) molecule that down-regulates expression of hepatitis B virus (HBV) RNA, wherein said siRNA comprises nucleotide sequence complementary to said HBV RNA or a portion thereof.~~ A chemically modified double stranded short interfering nucleic acid (siNA) molecule comprising a distinct sense strand and an antisense strand wherein:

- a) each strand of said siNA molecule is about 18 to about 27 nucleotides in length;
  - b) the antisense strand of said siNA molecule comprises nucleotide sequence of about 18 to about 27 nucleotides that is complementary to a conserved region of hepatitis B virus (HBV) RNA comprising SEQ ID NO:16208;
  - c) the sense strand is complementary to the antisense strand and further comprises a portion of said HBV nucleotide sequence of about 18 to about 27 nucleotides; and
  - d) about 100% of nucleotides in one or both strands of said siNA are chemically modified.
2. (Currently Amended) The siNA of molecule of claim 1, wherein said ~~siRNA~~ siNA molecule ~~is double stranded~~ comprises one or more ribonucleotides.
3. (Canceled)
4. (Canceled)
5. (Canceled)
6. (Canceled)
7. (Canceled)
8. (Canceled)
9. (Currently Amended) The ~~siRNA~~ siNA molecule of claim 8 ~~1~~, wherein said ~~2'-O-alkyl one or more pyrimidine nucleotides present in said sense strand~~ are 2'-O-methyl pyrimidine nucleotide nucleotides.
10. (Canceled)

11. (Currently Amended) The ~~siRNA~~ siNA molecule of claim 7 1, wherein ~~said chemically modified~~ one or more pyrimidine nucleotide nucleotides present in said sense strand is-a are 2'-deoxy-2'-fluoro nucleotide pyrimidine nucleotides.
12. (Currently Amended) The ~~siRNA~~ siNA molecule of claim 7 1, wherein ~~said chemically modified~~ one or more purine nucleotide nucleotides present in said sense strand is-a are 2'-deoxy nucleotide purine nucleotides.
13. (Currently Amended) The ~~siRNA~~ siNA molecule of claim 7 1, wherein ~~said chemically modified nucleotide~~ antisense strand comprises one or more includes a terminal phosphorothioate internucleotide linkages linkage at the 3' end of said antisense strand.
14. (Currently Amended) The ~~siRNA~~ siNA molecule of claim 7 1, wherein ~~said chemically modified nucleotide~~ one or more purine nucleotides present in the antisense strand comprises is-a 2'-O alkyl nucleotide, 2'-deoxy 2'-fluoro nucleotide, 2'-deoxy nucleotide, phosphothioate containing nucleotide, or any combination thereof are 2'-O-methyl purine nucleotides.
15. (Currently Amended) The ~~siRNA~~ siNA molecule of claim 7 1, wherein ~~said siRNA comprises~~ one or more 2'-O alkyl and one or more pyrimidine nucleotides present in said antisense strand are 2'-deoxy-2'-fluoro nucleotides pyrimidine nucleotides.
16. (Currently Amended) The ~~siRNA~~ siNA molecule of claim 7 1, wherein ~~said siRNA comprises~~ one or more 2'-O alkyl and one or more purine nucleotides present in said antisense strand are 2'-deoxy 2'-fluoro nucleotides 2'-deoxy purine nucleotides.
17. (Currently Amended) The ~~siRNA~~ siNA molecule of claim 1, wherein ~~said siRNA comprises~~ sense strand includes a terminal cap modification moiety at a 5'-end, a 3'-end, or both of the 5' and 3' ends of the sense strand.
18. (Currently Amended) The ~~siRNA~~ siNA molecule of claim 17, wherein ~~said terminal cap modification comprises~~ is an inverted deoxy abasic moiety.
19. (Canceled)
20. (Canceled)
21. (Canceled)
22. (Canceled)
23. (Canceled)
24. (Canceled)

25. (New) The siNA molecule of claim 1, wherein said antisense strand includes a terminal phosphate group.
26. (New) A composition comprising the siNA molecule of claim 1 in a pharmaceutically acceptable carrier or diluent.
27. (New) The siNA molecule of claim 1, wherein said chemical modification is a phosphorothioate internucleotide linkage, 2'-O-methyl ribonucleotide, 2'-deoxy-2'-fluoro ribonucleotide, 2'-deoxy ribonucleotide, universal base nucleotide, 5-C-methyl nucleotide, inverted deoxyabasic or any combination thereof.